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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------------|-------------|----------------------|---------------------|------------------|
| 09/788,069 | 02/16/2001 | Seth Weisberg | 41232/FLC/S850 | 5093 |
| 23363 | 7590 | 04/17/2006 | EXAMINER | |
| CHRISTIE, PARKER & HALE, LLP | | | BACKER, FIRMIN | |
| PO BOX 7068 | | | ART UNIT | |
| PASADENA, CA 91109-7068 | | | PAPER NUMBER | |

3621

DATE MAILED: 04/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/788,069 | WEISBERG ET AL. | |
| | Examiner | Art Unit | |
| | FIRMN BACKER | 3621 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in reference to a pre-appeal request filed by the Applicant on December 13th, 2006. In the request, Applicants argue that examiner failed to acknowledge new claims 38-41 in the final office action mailed on October 21st, 2005. In view of the Applicant's argument, prosecution hereby reopened.

Response to Arguments

2. Applicant's arguments with respect to claims 1-41 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al (U.S. Patent No. 6,233,565) in view of Pang et al (U.S. Patent No. 6,446,204)

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5. As per claim 1-5, 10, 12, 19, 24-29, 30, 35 and 36, Lewis et al teach a method of printing a VBI such as a ticket, a coupon, a mail piece, a travelers, check or a currency, comprising generating a message digest by hashing relevant 2-D bar code information (*see fig 4A, 4B*), and generating a textual digital signature from the message including a stateless cryptomodule and a plurality of user computer in communication with the cryptomodule to communication digital signature (*see figs 1-3 and their accompany text*). Lewis et al fail to teach communicating the digital signature from one of a plurality of stateless cryptomodules to one of a plurality of remotely located user computers each stateless cryptomodule being programmable to service any of the plurality of repeatedly located user computers. However, Pang et al teach communicating the digital signature from one of a plurality of stateless cryptomodules to one of a plurality of remotely located user computers each stateless cryptomodule being programmable to service any of the plurality of repeatedly located user computers (*see abstract, fig 1, 2, 6, col. 18 lines 59-col 19 line 30*). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lewis et al's system to include Pang et al's teach communicating the digital signature from one of a plurality of stateless cryptomodules to one of a plurality of remotely located user computers each stateless cryptomodule being programmable to service any of the plurality of repeatedly located user computers because this would have provided a more flexible system.

6. As per claims 6-9, 13-16, 20-23 and 31 -34, Lewis et al teach a method of the digital signature and the 2-D bar code include sides (such as right, left, top and bottom) (*see figs 1-3 and their accompany text*).

7. As per claims 11 and 37, Lewis et al teach a method wherein the relevant information including one or more of indicium version number, an algorithm identifier, a certificate serial number, a postage security device manufacturer identifier, a model identifier, postage device serial number, an ascending register value (*see figs 1-3 and their accompany text*).

8. As per claims 38-41, Lewis et al teach a method wherein each stateless cryptomodule being programmable to service any of the plurality of remotely located user computers includes accessing user data from a database (*see figs 1-3 and their accompany text*).

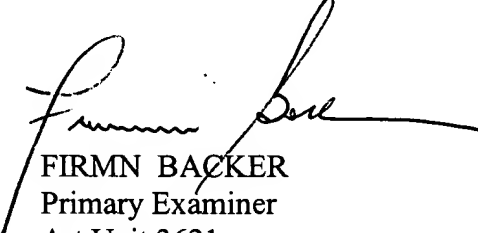
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FIRMN BACKER whose telephone number is 571-272-6703. The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



FIRMIN BACKER
Primary Examiner
Art Unit 3621

April 13, 2006